STATUTORY INSTRUMENTS

1982 No. 1616 (C. 49)

MERCHANT SHIPPING

The Merchant Shipping Act 1979 (Commencement No. 6) Order 1982

Made - - - - 15*th November* 1982

The Secretary of State, in exercise of powers conferred on him by section 52(2) of the Merchant Shipping Act 1979 (**a**) (hereinafter referred to as "the Act") and of all other powers enabling him in that behalf hereby makes the following Order:

1. This Order may be cited as the Merchant Shipping Act 1979 (Commencement No. 6) Order 1982.

2.—(1) The provisions of the Act specified in the first column of Schedule 1 to this Order (which relate to the matters specified in the second column of that Schedule) shall come into force on 1st January 1983.

(2) The provisions of the Act specified in the first column of Schedule 2 to this Order (which relate to the matters specified in the second column of that Schedule) shall come into force on 1st July 1983.

Iain Sproat,
Parliamentary Under Secretary of State,
Department of Trade.

15th November 1982.

(**a**) 1979 c.39.

SCHEDULE 1

PROVISIONS COMING INTO FORCE ON 1ST JANUARY 1983

Provisions of the Act	Subject matter of provisions
Section 37(4).	Amendment of sections 52(3) and 54(2) of the Merchant Shipping Act 1970 (a) in respect of the powers of persons holding inquiries into the fitness or conduct of officers and of seamen other than officers.
Section 51(2) so far as it relates to section 38(2).	Power of the Treasury to charge fees for certain certificates.

SCHEDULE 2

PROVISIONS COMING INTO FORCE ON 1ST JULY 1983

Provisions of the Act	Subject matter of provisions
Section 32, subsections (2) and (3).	Amendment of sections 55 and 56(1) of the Merchant Shipping Act 1970 in respect of incidents capable of causing shipping casualties.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force on 1st January 1983 sections 37(4) and 51(2) (so far as it relates to section 38(2)) of the Merchant Shipping Act 1979. Section 37(4) amends sections of the Merchant Shipping Act 1970 which are also being brought into force on 1st January 1983; it confers the powers of an inspector on persons holding inquiries into the fitness or conduct of officers and other seamen. Section 51(2) enables the Treasury to charge fees for certificates issued pursuant to section 38(2). Section 38(2) amends the Merchant Shipping (Oil Pollution) Act 1971 (c.59) so as to provide a procedure for the conversion of limitation amounts expressed in special drawing rights into sterling. The certificates referred to relate to the determination of the sterling equivalent of this special drawing right.

It also brings into force on 1st July 1983 section 32(2) and (3) of the Merchant Shipping Act 1979. These subsections amend sections of the Merchant Shipping Act 1970 which are also being brought into force on 1st July 1983; the definition of a casualty is extended to include cases of serious personal injury, and the Secretary of State is empowered to hold an inquiry or an investigation (or both) into incidents which were or are capable of causing a casualty.

(a) 1970 c.36.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(*This Note is not part of the Order.*)

The following provisions of the Merchant Shipping Act 1979 have been brought into force by commencement orders made before the date of this Order:—

Provision	Date of commencement	S.I. No.
ss. 1 to 6, Sch. 1	1.8.79	1979/807
ss. 7, 8(1), (2), (4) and that part of (6) which relates to s.14 of the Pilotage Act 1913, 9 to 11	4.7.80 and 1.9.80	1980/923
ss.12, 13(1) in relation to Sch. 2, paras. 1 to 4, 5(2), 6, 7, 10(2), 11, 12, 14 to 19, 20(1), the former part of 20(2), 21 to 27	1.8.79, 1.10.79 and 1.1.80	1979/807
s.13(1) in relation to Sch. 2, paras. 5(1), 8, 9, 10(1), 13(3) and the latter part of 20(2)	1.1.80 4.7.80 and 1.9.80	1979/807 1980/923
s.13(2) to (5)	1.8.79	1979/807
s.15(1) and the latter part of (2)	17.12.79	1979/1578
s.16	1.8.79	1979/807
s.19(2), (3)	17.12.79	1979/1578
ss.20 to 22, 26 to 30, 32(1), 33, 34, 35(1) except in relation to fishing vessels, 36(1)	1.8.79, 1.10.79 and 1.1.80	1979/807
s.36(2)	1.4.80	1980/354
ss.36(3), 37(1) to (3), (5), (7), (8)	1.8.79	1979/807
s.38(5)	17.12.79	1979/1578
s.38(1), (2), (3) and (6)	8.4.81	1981/405
ss.39 to 45, 46 (partially), Sch. 6	1.8.79 and 1.1.80	1979/807
s.46 (remainder)	4.7.80	1980/923
s.47(1), (2) (partially), (3)	1.8.79, 1.10.79 and 1.1.80	1979/807
s.47(2) (partially)	17.12.79	1979/1578
ss.48, 49, 50(1), (2)	1.8.79	1979/807
s.50(3)	4.7.80	1980/923
s.50(4) and Sch. 7 (partially)	1.8.79, 1.10.79 and 1.1.80 1.4.80 4.7.80 and 1.9.80 8.4.81	1979/807 1980/354 1980/923 1981/405
s.51(1), (3), 52	1.8.79	1979/807
Sch. 3, Part I has been brought into force for some purposes, with modifications, by the Carriage of Passengers and their Luggage by Sea (Interim Provisions) Order 1980 made under the powers in section 16(1), (2) and (5).	1.1.81	1980/1092.

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